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Date September 29, 2003

To: Examiner Tony G. Soohoo

Facsimile Telephone Number: 703-872-9810

Total Number of Pages (Includes Cover Sheet): 19

From: Mark H. Neblett

Phone: 202-624-2941

CAM Number: 080334.49678CO

User ID: 1416

Message:

Hard Copy to Follow: ☐ Yes ☒ No

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**PATENT**

**Att'y Docket:** 658/49678CO  
**Inventor(s):** JOERG GIESLER ET AL.  
**Serial No.:** 09/819,071  
**Filing Date:** October 9, 2001

**Today's Date:** July 29, 2003

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☒ Response to Office Action
- ☒ Copy of postcard with PTO date stamp of October 9, 2001
- ☒ Copy of Preliminary Amendment filed October 9, 2001

**DUE DATE:** September 13, 2003

RLG:ns  
80334.49678CO



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WASHINGTON, D.C. 20044-4300  
TEL: (202) 624-2500

Attorney Docket: 658/49678CO  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JOERG GIESLER ET AL.  
Serial No.: 09/819,071 Group Art Unit: 1723  
Filed: October 9, 2001 Examiner: TONY G. SOOHOO  
Title: DEVICE FOR CONVEYING ELASTOMERIC MEDIA, USE OF  
THE DEVICE, AS WELL AS TWO OPERATING METHODS

RESPONSE TO OFFICE ACTION

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

In response to the Office Action mailed June 13, 2003, for which a response is due on September 13, 2003, the following remarks are provided.

In reviewing the Office Action, the Applicants noticed that the Preliminary Amendment filed in the patent application on October 9, 2001 was not considered by the Examiner when issuing the Office Action. For example, the Preliminary Amendment added new claims 18-25 in the application. The Examiner has not examined new claims 18-25 in the Office Action. Additionally, the Preliminary Amendment amended the claims for matters of form. It does not appear that the Examiner considered these amendments when issuing the Office Action.

Applicants respectfully request that the Examiner consider the Preliminary Amendment filed in the application on October 9, 2001 and issue a Supplemental

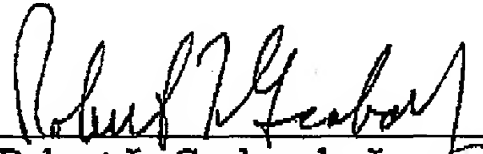
Office Action after his consideration of the Preliminary Amendment, setting a new response date for responding to the Office Action. A copy of the receipt postcard for the Preliminary Amendment, with the Patent Office's receipt stamp on it is enclosed for the Examiner's consideration. A copy of the Preliminary Amendment as filed is also enclosed for the Examiner's convenience.

Applicants do not believe that any fees are required in connection with this Response. However, if any fees are required, the Office is authorized to charge any fees to Deposit Account No. 05-1323 (Docket #80334.49678CO).

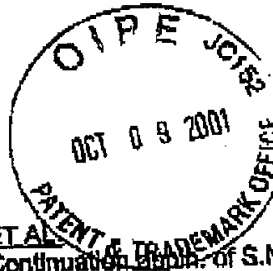
The Examiner is requested to contact the undersigned should the Examiner have any questions regarding this response.

Respectfully submitted,

July 29, 2003

  
Robert L. Grabarek, Jr.  
Registration No. 40,625

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CAM 80884.020



## PATENT

Att'y Docket: 658/49678

Inventor(s): JOERG GIESLER ET AL

Serial No.: Not Yet Assigned (Continuation appln. of S.N. 09/784,337)

Filing Date: October 9, 2001 (parent appln. filed February 16, 2001)

Today's Date:

October 9, 2001

The following have been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☒ Submission of Missing Parts in Application
- ☒ Copy of Notice to File Missing Parts of Nonprovisional Application
- ☒ Request for Filing a Patent Application under 37 C.F.R. §1.53(b)  
(with copies of 15 pages of originally filed application, 2 sheets of drawings (Figs. 1-3),  
unexecuted Declaration and Power of Attorney)
- ☒ Preliminary Amendment
- ☒ Petition for Extension of Time (4 months)(in duplicate)
- ☒ Translator's Declaration with English Translation of German application
- ☒ Substitute Specification (14 pages)
- ☒ Marked-up Specification (14 pages)
- ☒ Claim for Priority with certified copy of European Appln. 00122436.9

DUE DATE

October 9, 2001

DDE:msy

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